

91ST CONGRESS
2^D SESSION

H. R. 17123

IN THE SENATE OF THE UNITED STATES

JULY 7, 1970

Referred to the Committee on Armed Services and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. HATFIELD (for himself Mr. GOLDWATER, Mr. CRANSTON, Mr. SCOTT, Mr. McGOVERN, Mr. PACKWOOD, Mr. YOUNG of Ohio, Mr. DOLE, Mr. STEVENS, Mr. HARTKE, Mr. SCHWEIKER, and Mr. GOOD-ELL) to H.R. 17123, an Act to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, viz: At the end of the Act, insert the following:

- 1 SEC. . The Congress hereby finds that—
- 2 (1) the Armed Forces of the United States can be

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1 materially improved and strengthened by increasing and
2 improving the economic and educational benefits of the
3 members thereof, by elevating the status of military
4 personnel generally, and by developing and maintaining
5 a system of military manpower procurement based on
6 the free choice of the individual;

7 (2) involuntary service in the Armed Forces is a
8 discriminatory tax-in-kind upon those persons required
9 to serve because it falls upon a relatively small number
10 of the total population;

11 (3) the military manpower requirements of the
12 Nation can be adequately met through the effective
13 administration of a voluntary system;

14 (4) a voluntary system should be instituted and
15 given a fair test as soon as practicable while providing
16 necessary safeguards in the event that unforeseen cir-
17 cumstances create a need for additional military man-
18 power;

19 (5) the President, the Secretary of Defense, and
20 the Secretaries of the military departments should exer-
21 cise all authority available to them to promote the
22 success of a voluntary system of meeting the military
23 manpower needs of the Nation; and

24 (6) the Reserve forces should be maintained at

1 adequate strength levels and should be better trained
2 and equipped to meet emergency combat assignments.

3 CONTINUED REGISTRATION

4 Sec. . Notwithstanding the delimiting date specified
5 in section 17 (c) of the Military Selective Service Act of
6 1967, the President shall provide for the continued registra-
7 tion under such Act of all male persons in the United States
8 between the ages of eighteen and twenty-six years in order
9 that the involuntary induction of persons under such Act
10 may be reinstituted without serious delay in the event the
11 President determines pursuant to section 4 of this Act that
12 such action is necessary and legislation authorizing conscrip-
13 tion is enacted pursuant to such determination.

14 ACTION FOR REINSTITUTING CONSCRIPTION

15 SEC. . If at any time after the termination of induction
16 of persons into the Armed Forces under the Military Selective
17 Service Act of 1967 the President determines that the mili-
18 tary manpower needs of the Nation are not being adequately
19 met through a voluntary system and that conscription is nec-
20 essary for the national security, he shall promptly notify the
21 Congress of such determination, and of the facts upon which
22 such determination is based, and submit to the Congress such
23 recommendations for legislation as he deems necessary and

1 desirable to provide for the involuntary induction of per-
2 sons into the Armed Forces.

3 CONGRESSIONAL DIRECTIVES RELATING TO THE IMPROVE-
4 MENT OF THE ARMED FORCES

5 SEC. . (a) The President, the Secretary of Defense,
6 and the Secretaries of the military departments shall exercise
7 the authority vested in them by law to provide for the mili-
8 tary manpower needs of the Nation through a voluntary pro-
9 gram of enlistments. In the exercise of such authority, the
10 Secretaries of the military departments shall, under the direc-
11 tion and supervision of the Secretary of Defense, specifically
12 provide for—

13 (1) the inducements necessary to take fullest advan-
14 tage of career selection motivations in attracting persons
15 to military careers;

16 (2) the improvement and expansion of the program
17 for utilizing civilian personnel in lieu of military person-
18 nel for noncombatant service;

19 (3) the improvement and expansion of programs
20 under which the education of specialists, such as doctors
21 and dentists, is paid for by the Armed Forces in return
22 for an obligated period of military service by the person
23 receiving the educational assistance;

24 (4) the improvement and expansion of officer train-
25 ing programs, particularly programs to facilitate the

1 qualifying and training of enlisted members who wish
2 to become officers;

3 (5) the improvement and expansion of military
4 recruiting programs;

5 (6) a more effective incentive program for re-
6 cruiting personnel under which (A) successful recruit-
7 ing personnel would be afforded the opportunity to earn
8 extra pay or bonuses as well as accelerated promotions,
9 and (B) quota systems would no longer be in effect;
10 and

11 (7) the institution of any other appropriate actions
12 designed to upgrade the conditions of military service
13 and the States of military personnel generally.

14 (b) In implementing subsection (a) (2) of this section,
15 relating to increased utilization of civilian personnel, the
16 Secretary of Defense shall, as soon as practicable, (1) con-
17 duct a position-by-position analysis of all military jobs within
18 the Department of Defense with a view to determining
19 which jobs should be performed by military personnel and
20 which should be performed by civilian personnel, and (2)
21 develop accurate and current data for determining whether
22 it is less expensive to have any such job performed by
23 military or civilian personnel. The position-by-position analy-
24 sis and the development of data required under this subsec-

tion shall be completed not later than eighteen months after the date of enactment of this Act.

(c) Not later than eighteen months after the date of enactment of this Act, the Secretary of Defense shall submit to the Congress a detailed report regarding the operation of the voluntary system of meeting the military manpower needs of the Nation and for the improvement of the Armed Forces, and shall include in such report such recommendations for legislation to improve such system as he deems appropriate.

INCREASE IN PAY RATES FOR MEMBERS OF THE
UNIFORMED SERVICES

SEC. . The Secretary of Defense shall formulate as soon as practicable after the date of enactment of this Act a revised basic pay schedule for members of the uniformed services incorporating the increases in the basic pay of enlisted personnel and officers listed in the table below and such adjustments in the basic pay of other personnel as the Secretary deems necessary and appropriate to insure equitable pay differences between different grades.

Years of service:	Enlisted personnel	Officer personnel
1-----	\$1,700	\$1,504
2-----	1,541	2,031
3-----	804	1,142
4-----	727	
5-----	347	
6-----	344	
7-----	233	
8-----	344	
9-10-----	258	

1 SPECIAL PAY FOR PHYSICIANS, DENTISTS, AND VETERINAR-
2 IANS MADE PERMANENT; INCREASE IN SPECIAL PAY
3 FOR PHYSICIANS AND DENTISTS

4 SEC. . (a) Sections 302 and 302 of title 32, United
5 States Code, are amended by striking out "and before July 1,
6 1971." each time it appears in such sections.

7 (b) Section 302 (1) of such title is amended by deleting
8 the comma after "1947" the second time such date appears
9 therein.

10 (c) Section 302 (b) of such title is amended to read as
11 follows:

12 "(b) The amount of special pay to which an officer
13 covered by subsection (a) of this section is entitled is—

14 "(1) \$150 a month for each month of active duty
15 if he has not completed two years of active duty in a
16 category named in that subsection;

17 "(2) \$200 a month for each month of active duty
18 if he has completed two years of active duty in a cate-
19 gory named in that subsection;

20 "(3) \$450 a month for each month of active duty
21 if he has completed three years of active duty in a cate-
22 gory named in that subsection;

23 "(4) \$600 a month for each month of active duty
24 if he has completed four years of active duty in a cate-
25 gory named in that subsection;

1 “(5) \$750 a month for each month of active duty
2 if he has completed five years of active duty in a cate-
3 gory named in that subsection;

4 “(6) \$900 a month for each month of active duty if
5 he has completed six years of active duty in a category
6 named in that subsection; or

7 “(7) \$1,050 a month for each month of active duty
8 if he has completed seven years of active duty in a cate-
9 gory named in that subsection.”

10 MORE EFFECTIVE USE OF PROFICIENCY PAY FOR ENLISTED
11 MEMBERS

12 SEC. . (a) The Secretary of Defense shall, at the ear-
13 liest practicable date, promulgate regulations under which
14 the Armed Forces will increase the utilization of proficiency
15 pay authorized by section 307 of title 37, United States Code,
16 for the purpose of attracting and retaining enlisted members
17 who are specially proficient in military skills.

18 (b) Section 307 of title 37, United States Code, is
19 amended by redesignating subsection (d) as subsection (c)
20 and inserting after subsection (c) a new subsection (d) as
21 follows:

22 “(d) Proficiency pay under subsection (a) (1) or (a)
23 (2) of this section shall be made available to enlisted mem-
24 bers with critical skills after such members have satisfactorily
25 completed their training in such skill. Proficiency pay under

1 this section shall be paid to enlisted members who qualify
2 therefor without regard to whether they are career members
3 or not.”

4 HOSTILE FIRE PAY INCREASE

5 SEC. . Section 310 (a) of title 10, United States Code,
6 is amended by striking out “\$65” and inserting in lieu thereof
7 “\$200.”

8 COMBAT ZONE PAY

9 SEC. . (a) Chapter 5 of title 37, United States Code,
10 is amended by adding after section 310 a new section as
11 follows:

12 “§ 310a. Special pay: duty in a combat zone

13 “(a) Except in time of war declared by Congress, and
14 under regulations prescribed by the Secretary of Defense, a
15 member of the uniformed services may be paid at the rate of
16 \$65 a month for any month in which he was entitled to basic
17 pay and was serving in a combat zone.

18 “(b) A member may not be paid special pay under this
19 section for any month for which he receives special pay under
20 section 310 of this title, but may be paid special pay under
21 this section in addition to any other pay and allowances to
22 which he may be entitled.

23 “(c) The provisions of section 310 (c) of this title relat-
24 ing to determination of fact under that section shall apply in
25 the case of the determination of fact under this section.

1 “(d) The Secretary of Defense shall report to the Con-
2 gress by March 1 of each year on the administration of this
3 section during the preceding calendar year.

4 “(c) As used in this section the term ‘combat zone’
5 means any area which the President by Executive order
6 designates as an area in which Armed Forces of the United
7 States are engaged in combat.”

8 (b) The table of sections at the beginning of chapter 5
9 of such title is amended by inserting immediately below

“310. Special pay : duty subject to hostile fire.”

10 the following:

“310a. Special pay : duty in a combat zone.”.

11 EXTENSION OF TIME WITHIN WHICH REENLISTMENT

12 BONUSES MAY BE PAID

13 SEC. . Section 308 (a) of title 37, United States Code,
14 is amended by striking out “within three months” and
15 inserting in lieu thereof “within six months”.

16 TRAVEL AND TRANSPORTATION ALLOWANCES AND DIS-

17 LOCATION ALLOWANCES FOR ENLISTED MEMBERS IN

18 LOWER GRADES

19 SEC. . (a) Section 406 (a) of title 37, United States
20 Code, is amended by inserting “, including a member in
21 pay grade E-4 (four years or less service), E-3, E-2, or E-
22 1,” immediately after “A member of a uniformed service”.

23 (b) Section 407 (a) of such title is amended by striking

1 out "uniformed service—" and inserting in lieu thereof "uni-
2 formed service, including a member in pay grade E-4 (four
3 years or less service), E-3, E-2, or E 1—".

4 ENLISTMENTS AND DISCHARGES

5 SEC. . (a) Section 505 (c) of title 10, United States
6 Code, is amended to read as follows:

7 "(c) The Secretary concerned may accept original en-
8 listments in the Regular Army, Regular Air Force, Regular
9 Marine Corps, or Regular Coast Guard, as the case may be,
10 (1) of male persons for the duration of their minority or for
11 a period of two years, and (2) of female persons for a
12 period of two years. The Secretary concerned may accept
13 an original enlistment in the case of any person for a speci-
14 fied period longer than two years, but not more than four
15 years, where the cost of special education or training to be
16 afforded such person would make a shorter enlistment period
17 impracticable."

18 (b) Section 505 (c) of such title is amended to read as
19 follows:

20 "(c) The Secretary concerned may accept reenlistments
21 in the Regular Army, Regular Navy, Regular Air Force,
22 Regular Marine Corps, or Regular Coast Guard, as the
23 case may be, for unspecified periods and for periods com-
24 mensurate with the cost of any special education or training

1 to be received by any member, as may be prescribed in
2 regulations of the Secretary concerned. In no case shall the
3 Secretary concerned specify a period of more than four
4 years of obligated service because of special education or
5 training to be received by any member."

6 (c) Section 509 (a) of such title is amended by striking
7 out "Under" and inserting in lieu thereof "Subject to the
8 provisions of section 505 (c) and".

9 (d) The Secretary of Defense shall promptly conduct
10 a comprehensive study to determine the term of service
11 which should be required of enlisted members who receive
12 various types of special education or training programs.
13 The Secretary concerned shall, on the basis of the con-
14 clusions reached in such study, prescribe by regulation the
15 term of service required to be performed by enlisted mem-
16 bers who receive special education or training.

17 (e) Section 1169 of such title is amended to read as
18 follows:

19 **"§ 1169. Regular enlisted members: limitations on dis-**
20 **charged**

21 "Any enlisted member who has completed his original
22 period of enlistment and who has been reenlisted for an
23 unspecified period shall be discharged upon written request,
24 except that—

25 "(1) the Secretary concerned may refuse to grant

1 a discharge during any period of war or national emer-
2 gency;

3 “(2) a member shall be required to fulfill a term of
4 service commensurate with the cost of any special
5 education or training received by him, as prescribed
6 in regulations of the Secretary concerned;

7 “(3) the Secretary concerned may refuse to grant
8 a discharge to any enlisted member who has been
9 assigned to sea duty or duty outside the United States; or

10 “(4) as otherwise provided by law.”

11 RESERVE OFFICER TRAINING CORPS SCHOLARSHIP

12 PROGRAM INCREASE

13 SEC. . Section 2107 (h) of title 10, United States
14 Code, is amended to read as follows:

15 “(h) Not more than the following number of cadets
16 and midshipmen may be in the financial assistance programs
17 under this section at any one time:

18 “Army program: 10,000

19 “Navy program: 10,000

20 “Air Force program: 10,000.”

21 GREATER UTILIZATION OF CIVILIAN MEDICAL FACILITIES

22 AND PERSONNEL

23 SEC. . (a) The Secretary of Defense shall, as soon as
24 practicable after the date of enactment of this Act, formulate
25 plans for utilization, to the maximum extent practicable, of

1 civilian medical facilities and personnel to serve the medical
2 needs of military personnel and their dependents. In formu-
3 lating such plans the Secretary shall give consideration to
4 more extensive use of a medical insurance program for re-
5 tired personnel and their dependents and for the dependents
6 of active duty personnel.

7 (b) The Secretary of Defense shall submit to the Con-
8 gress the plans formulated pursuant to this section not more
9 than nine months after the date of enactment of this Act,
10 together with such recommendations for legislation as may
11 be necessary to effectuate such plans.

12 FORMULATION OF NEW SALARY STRUCTURE FOR THE
13 UNIFORMED SERVICES

14 SEC. . (a) The Secretary of Defense shall formulate as
15 soon as practicable after the date of enactment of this Act
16 a new pay structure for the uniformed services. Such pay
17 structure shall—

18 (1) provide salary schedules of pay which com-
19 bine basic pay rates and present allowances for quarters
20 and subsistence;

21 (2) provide for cash contributions to a retirement
22 system similar to the civil service retirement system
23 provided for Federal civilian employees; and

24 (3) take into account the amount lost as the result
25 of the termination of separate allowances for quarters

1 and subsistence and the amount which will be contrib-
2 uted to a retirement system, including the loss of any
3 tax advantage realized under current law.

4 The Secretary is authorized to include such other features in
5 any new pay structure as he determines necessary or appro-
6 priate to make such pay structure fair and equitable and to
7 attract qualified personnel to the uniformed services.

8 (b) The Secretary of Defense shall submit to the Con-
9 gress the new pay structure formulated by him pursuant to
10 this section not later than nine months after the date of en-
11 actment of this Act.

12 EFFECTIVE DATE

13 SEC. . This Act shall become effective upon the date
14 of enactment, except that sections 6, 7, 8, 9, and 10 shall
15 become effective on the first day of the first calendar month
16 in which this Act is enacted.

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AMENDMENT

Intended to be proposed by Mr. HATFIELD (for himself, Mr. GOLDWATER, Mr. CRANSTON, Mr. SCOTT, Mr. MCGOVERN, Mr. PACKWOOD, Mr. YOUNG of Ohio, Mr. DOLE, Mr. STEVENS, Mr. HARTKE, Mr. SCHWEIKER, and Mr. GOODELL) to H.R. 17123, an Act to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

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